

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Attorney's Docket No.:
BAL6019P0090US



In Re Application Of: Mario Guillen

Serial Number: 09/473,386 **Filed:** December 28, 1999

For: Trailing Interspecific Impatiens

Group Art Unit: 1661 **Examiner:** June Hwu

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Applicant hereby appeals to the Board of Appeals and Interferences from the decision of the Examiner dated February 13, 2004, rejecting claims 31-34.

The item(s) checked below are appropriate.

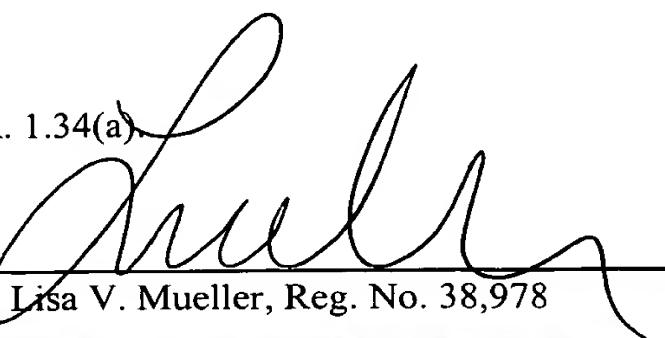
1. Applicant claims small entity status. (See 37 CFR 1.27.)
 A Statement Claiming Small Entity Status is enclosed.
2. Appeal fee (37 CFR 1.17(b))
 Large Entity - \$330.00 Small Entity - \$165.00
3. A petition and fee for an extension of time for reply to the rejection is enclosed.
 Large Entity
 \$110.00 \$420.00 \$950.00 \$1,480.00
 Small Entity
 \$55.00 \$210.00 \$475.00 \$740.00
4. A check for the amount of \$\$330.00 is enclosed.
5. Please charge the fee(s) to Deposit Account Number 23-0785. A duplicate copy of this sheet is attached.
6. Please charge any additional fee(s), or credit any overpayment, to Deposit Account Number 23-0785. A duplicate copy of this sheet is enclosed.

I am: applicant.
 assignee of record of the entire interest.
 attorney or agent of record
 attorney or agent acting under 37 C.F.R. 1.34(a)

05/13/2004 RMEBRAHT 00000005 09473386

01 FL:1401

330.00 OP


Lisa V. Mueller, Reg. No. 38,978

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
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Chicago, Illinois 60661-2511
312/876-1800
May 7, 2004

CERTIFICATE OF MAILING

I hereby certify that this document and fee is being deposited with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on May 7, 2004.

Signature: Corinne Byk
Name: Corinne Byk